

Judge Franklin D. Burgess



05-CR-05828-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA, }
Plaintiff, }
v. }
KEVIN TUBBS, }
Defendant. }

NO. CR05-5828FDB

REQUEST AND ORDER
FOR DISMISSAL

Comes now, the United States of America, by and through Jeffrey C. Sullivan, United States Attorney for the Western District of Washington, Mark N. Bartlett, First Assistant United States for said District, and Andrew C. Friedman, Assistant United States Attorney for said District, pursuant to Federal Rule of Criminal Procedure 48(a), and asks that the Court dismiss the charges brought in this case against Kevin Tubbs.

In addition to being charged in this case, Tubbs also was charged with conspiracy to commit arson and with a number of counts of arson in a related case in the District of Oregon. *United States v. Kevin Tubbs*, No. CR 06-60070-1-AA (D. Ore.). Tubbs pled guilty to charges in that case and was sentenced to 151 months' imprisonment. As part of the plea agreement in that case, the United States agreed to dismiss the charges against

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1 Tubbs in this case. As a result, the United States hereby moves to dismiss the charges
2 against Tubbs.

3 DATED this 15th day of May, 2007.

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Respectfully submitted,

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JEFFREY C. SULLIVAN
United States Attorney

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s/Mark N. Bartlett

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MARK N. BARTLETT

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First Assistant United States Attorney

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s/Andrew C. Friedman

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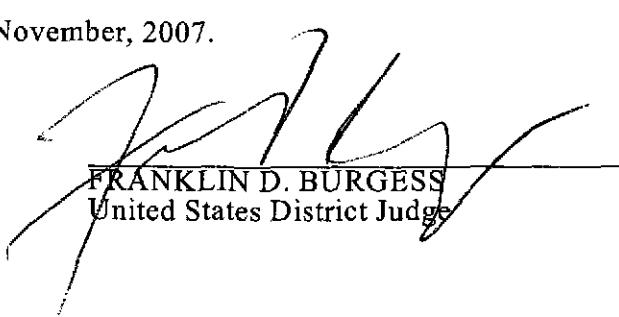
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Leave of the Court is granted for the filing of the foregoing dismissal, and the
charges against Kevin Tubbs in the Fourth Superseding Indictment are hereby
DISMISSED.

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DATED this 15 day of November, 2007.

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FRANKLIN D. BURGESS
United States District Judge

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CERTIFICATE OF SERVICE

2 I hereby certify that on the 15th day of November, 2007, I electronically filed the
3 foregoing with the Clerk of Court using the CM/ECF system which will send notification
4 of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have
5 served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via
6 U. S. States First Class Mail or via facsimile.

s/Elisa G. Jimenez
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